



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112
Toll Free 1-877-601-2828 • E-mail: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

July 13, 2016

OUR WATER OUR CHOICE PAC
C/O GERALD STEELE

By electronic mail to: geraldsteel@yahoo.com

Subject: Complaint regarding Our Water Our Choice, PDC Case No. 4650


Dear Mr. Steele:

Enclosed is a copy of a letter sent to Kurt Ferre concerning a complaint he filed with the Public Disclosure Commission on April 15, 2016. The complaint alleged that Our Water Our Choice violated RCW 42.17A.235 and RCW 42.17A.240 by receiving contributions and making expenditures that exceeded the voluntary limits of the Mini Reporting option; violated RCW 42.17A.205 by failing to identify its officers and an affiliated political committee on Our Water Our Choice's C 1pc Political Committee Registration; and violated RCW 42.17A.320 by failing to include proper sponsor identification in online and billboard political advertising that Mr. Ferre alleged was sponsored by the committee. A copy of the complaint was previously sent to Our Water Our Choice.

As noted in the letter to Mr. Ferre, the PDC will not be conducting a more formal investigation into these allegations or taking enforcement action in this matter.

If you have questions, you may contact me at (360) 586-1042, toll-free at 1-877-601-2828, or by e-mail at tony.perkins@pdc.wa.gov.

Sincerely,


Tony Perkins
Compliance Officer

Endorsed by,


Evelyn Fielding Lopez
Executive Director

Enclosure: Letter to Kurt Ferre



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July 13, 2016

KURT FERRE

By electronic mail to: kferre51@gmail.com

Subject: Complaint regarding Our Water Our Choice, PDC Case No. 4650

Dear Mr. Ferre:

The Public Disclosure Commission (PDC) has completed its initial review of the complaint you filed on April 15, 2016. Your complaint alleged that Our Water Our Choice may have violated RCW 42.17A.235 and RCW 42.17A.240 by receiving contributions and making expenditures that exceeded the voluntary limits of the Mini Reporting option; may have violated RCW 42.17A.205 by failing to identify its officers and an affiliated political committee on Our Water Our Choice's C-1pc Political Committee Registration; and may have violated RCW 42.17A.320 by failing to include proper sponsor identification in online and billboard political advertising you alleged was sponsored by the committee.

PDC staff reviewed your allegations to determine whether a formal investigation or enforcement action is warranted. As a result of staff's initial review, we found the following:

- Our Water Our Choice (OWOC) is a political committee registered with the Public Disclosure Commission. The committee was active in 2012 and prior years, and re-activated in 2016 to support a ballot proposition to change the form of government in the City of Port Angeles. PDC staff understands that that ballot proposition will be considered at a future general election, either in 2016 or 2017.
- Eloise Kailin is currently an officer of OWOC, but was not at the time of the committee's initial registration in 2016. Following your complaint, the committee filed an amended registration listing Ms. Kailin as an officer.
- In response to your complaint, OWOC officers stated that the billboard in question was sponsored not by OWOC, but by Protect the Peninsula's Future, prior to the ballot issue being considered by OWOC. OWOC officers stated that that billboard concerned an advisory vote in the November 2015 general election.
- No evidence was presented or found that Yes4CleanWater.org is a political committee affiliated with OWOC, and required to be listed as such on OWOC's C-1pc registration. PDC staff's review of Yes4CleanWater.org indicates that the Web site is a clearinghouse


for legal and policy information concerning fluoridation of drinking water. OWOC officers stated that the Web site preexisted OWOC, and is not sponsored by OWOC. PDC staff understands that the site is sponsored by Clallam County Citizens for Safe Drinking Water.

- Legal counsel for OWOC stated that in addition to its campaign activity, the committee has received donations and made expenditures for purposes unrelated to any election campaign. The committee has established a separate bank account for its non-profit wing and its political committee wing. Going forward, the political committee will track only those activities that are subject to the recordkeeping and disclosure requirements of RCW 42.17A.
- Prior to this re-organization, OWOS made expenditures (payments) for legal services, and received in-kind contributions of legal services, both for its non-electoral efforts and for political activity. The committee provided information to PDC staff indicating that all of this activity was within the voluntary limits of Mini Reporting (i.e. \$5,000 in total contributions and expenditures, and \$500 in aggregate contributions from any one source).
- Accordingly, as a Mini Reporting committee, OWOC is not required to file detailed reports of contribution and expenditure activity with the PDC. However, the committee is required to make its books of account available for public inspection during the eight days before each election in which it participates. These books of account must include a listing of committee expenditures, and all contributions in excess of \$25.

Based on these initial findings, I have determined that there is no reason to believe a material violation of any law under the Commission's jurisdiction has occurred. For this reason, the PDC has closed the matter, and will not be conducting a more formal investigation into your complaint or pursuing enforcement action in this case.

If you have questions, you may contact me at (360) 586-1042, toll-free at 1-877-601-2828, or by e-mail at tony.perkins@pdc.wa.gov.

Sincerely,


Tony Perkins
Compliance Officer

Endorsed by,


Evelyn Fielding Lopez
Executive Director

cc: Gerald Steele